

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

Section 390
Categorical Exclusion for
Oil and Gas Development

NUMBER: DOI-BLM-CO-110-2012-0027-CX(390)

CASEFILE/PROJECT NUMBER: COC75182 (Pipeline)

PROJECT NAME: Laramie Energy's Proposed Fletcher Gulch Gathering Pipeline

LEGAL DESCRIPTION: T. 1 N., R. 100 W., 6th Principle Meridian
Section 2, Lots 9, 10, 14, 15, 19
Section 3, Lots 8-12, 16
Section 4, Lots 5, 12, 13
Section 9, Lot 9
Section 10, Lot 13
Section 11, Lots 2, 3, 6, 7, 9, 12
Section 14, Lots 4, 6, 7
Section 15, Lots 2, 3, 7-9

APPLICANT: Laramie Energy II, LLC

BACKGROUND: Laramie Energy II, LLC (LEII) is proposing to install a buried gathering pipeline to service the FG 4-44-2 and FG 4-24-2 wells (Figure 1). Anticipated impacts associated with these wells were reviewed in DOI-BLM-CO-110-2011-0166-CX(390) (signed on 11/10/2011).

DESCRIPTION OF PROPOSED ACTION:

Currently, Genesis Gas and Oil, LLC has a “poly” line gathering system in place for its Coal Bed Methane project in Fletcher Gulch. Because of the exploratory nature of the proposed wells referenced above, and to reduce the amount of initial disturbance, and reduce costs, LEII originally proposed laying a surface line of four inch “Flex” pipe along the shoulder of the existing road to the Genesis compressor facility in T. 1 N., R. 100 W., Sec. 3. Because of possible issues related to surface fires in the project area and the exposed surface pipeline, it was decided that the line would be buried 12 inches. As such, the Proposed Action includes burying the proposed pipeline a minimum of 12 inches. The approximate length of the proposed

gathering line is 9,867 feet (1.9 miles) and the total acres disturbed to install the pipeline would be approximately 0.6 acre, with a two foot disturbance width.

This action, if approved and implemented, would result in approximately 0.6 acres of new surface disturbance.

Right-of-Way (ROW) Information:

A ROW will be issued for the buried pipeline. The dimensions of the ROW for the pipeline will be 9,260 feet in length and 30 feet in width, and the pipeline will be installed adjacent to the existing access road.

Design Features:

The applicant has agreed to the following design features:

1. The Bureau of Land Management, White River Field Office, (970) 878-3818, will be notified at least forty-eight (48) hours before starting reclamation work that involves earth-moving equipment and upon completion of restoration measures.
2. Monitoring of interim reclamation will include photographic documentation and vegetation cover class plots. These plots will quantify the canopy cover for weeds, grass, forb, shrub, and tree groups. Results will be compared to reference plots in similar vegetation types of undisturbed adjacent areas to determine reclamation goals.
3. Monitoring of final reclamation will include photographic documentation and vegetation cover class plots. These plots will quantify the canopy cover for weeds, grass, forb, shrub, and tree groups. Results will be compared to reference plots in similar vegetation types of undisturbed adjacent areas to determine reclamation goals.
4. All proposed flexible pipelines, regardless of length of term, will be buried a minimum of 12 inches below the surface to eliminate the potential for ignition of a gas leak during fire suppression operations.

Decision to be Made: The BLM will decide whether or not to approve the Proposed Action, which includes installing a buried pipeline, and if so, under what conditions.

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-5

Decision Language: “Make federal oil and gas resources available for leasing and development in a manner that provides reasonable protection for other resource values.”

CATEGORICAL EXCLUSION REVIEW: The Energy Policy Act of 2005 (P.L. 109-58) prescribed five categorical exclusions (CX) for activities whose purpose is for the exploration of oil or gas.

The Proposed Action qualifies as a categorical exclusion under the Section 390 of the Energy Policy Act, #1: *“Individual surface disturbances of less than five acres so long as the total surface disturbance on the lease is not greater than 150 acres and site-specific analysis in a document prepared pursuant to the NEPA has been previously completed.”*

Documentation

The BLM NEPA Handbook (H-1790-1) provides specific instructions for using this CX.

1) Is surface disturbance associated with the Proposed Action less than five acres?

The BLM NEPA Handbook clarifies that “if more than one action is proposed for a lease (for example, two or more wells), each activity is counted separately and each may disturb up to five acres.” Surface disturbance associated with the well pad and access road for the FG 4-44-2 well is approximately 4.7 acres. Surface disturbance associated with the well pad and access road for the FG 4-24-2 well is approximately 4.3 acres. In addition, the proposed buried 1.9 mile pipeline (COC75182) would result in an additional 0.5 acres of disturbance.

2) Is there less than 150 acres of surface disturbance, including the Proposed Action, on the entire leasehold?

Surface disturbance on the entire leasehold (COC63322), based on review of the 2009 aerial photo and review of all new disturbance features (proposed and existing) on the entire leasehold, is approximately 68 acres or less.

3) Is the Proposed Action within the boundaries of an area included in a site-specific NEPA document? (The NEPA document must have analyzed the exploration and/or development of oil and gas (not just leasing) and the action/activity being considered must be within the boundaries of the area analyzed in the environmental assessment (EA) or environmental impact statement (EIS). The NEPA document need not have addressed the specific permit or application being considered.)

NEPA document CO-110-2006-200-EA analyzed 11 wells and 11 well pads. The locations that were analyzed in CO-110-2006-200-EA that apply to this action are location 4-24 (applies to proposed location 4-24-2) and location 4-44 (applies to proposed location 4-44-2).

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 3/8/2011. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists

resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	10/18/2011
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	10/19/2011
Zoe Miller	Ecologist	Special Status Plant Species	10/7/2011

REMARKS:

Cultural Resources: Portions of the proposed pipeline project area have been inventoried at the Class III (100 percent pedestrian) level (Davenport 2011 compliance dated 9/19/2011) with no new cultural resources identified in the inventoried area. There are no known cultural resources within 1,000 feet (305 meters) of the project.

Portions of the proposed well tie pipeline route have been inventoried (McDonald 2006 compliance dated 8/31/2006) with no cultural resources identified along any of the routes.

Portions of the proposed pipeline project are within the area of proposed access roads in to the area. Access roads into the area have been inventoried at the Class III (100 percent pedestrian) level (Conner 2004 compliance dated 7/20/2004, McDonald 2006 compliance dated 8/31/2006). One historic cabin, shown on the USGS maps (5RB.5356) is in the project vicinity. The historic cabin is not considered eligible but avoidance of the cabin is recommended.

Paleontological Resources: The proposed pipeline route is located in an area where two formations appear to intersect. The formations are the Wasatch and the Williams Fork (Tweto 1979) which the BLM, WRFO have classified as PFYC 5 formations. Both formations are known to produce fossils that are scientifically noteworthy (C.f. Armstrong and Wolny 1989).

Threatened and Endangered Wildlife Species: There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area.

The project area is encompassed by mule deer critical winter and severe winter ranges (Colorado Parks and Wildlife NDIS 2011). Based on discussions with Colorado Parks and Wildlife District Wildlife Manager (personal comm. Terry Wygant (10/18/11), this area in particular receives heavy use by mule deer during the rut and prior to accumulations of snow depths that force movements to lower elevations. Activities associated with pad and pipeline development including vegetation clearing, drilling, and particularly vehicle traffic through the area, can add undue stress to animals, elevate energetic demands, and may disrupt successful reproduction.

The proposed locations are comprised of mixed-aged to mature pinyon-juniper woodlands. These woodlands may provide suitable nest substrate for woodland raptors including: sharp-shinned and Cooper's hawk, red-tailed hawk, great horned owl, long-eared owl, and saw-whet owl. A

raptor survey was conducted in August 2011 within 0.25 miles (woodland habitat) and 0.50 miles (cliff habitat) of the project area. No raptor nests were located within the project area.

Threatened and Endangered Plant Species: The BLM sensitive species debris milkvetch (*Astragalus detritalis*) is located approximately 615 m to the west of the project area. Westerwater Engineering surveyed the area to confirm that there were no other special status plant species populations within 100 m of the project area. No other populations were found. Because of the distance and topographic differences, the Proposed Action should not impact the special status plant species.

Wildland Fire: The 2001 Federal Wildland Fire Management Policy provides guidance to fire management and fire management planning. Firefighter and public safety is the first priority. All fire management plans and activities must reflect this commitment. The Proposed Action is located within the Fletcher Gulch watershed. This area receives high lightning activity from May to September with an average of 80 lightning-caused fires annually. Firefighting resources are exposed to a high number of environmental hazards on a routine basis.

The temperature of the pipe and the fluid being transported must be considered in determining the Maximum Allowable Operating Pressure of the pipeline, and the temperatures must be prevented from exceeding 60 degrees C (140 degrees F). Flexible pipe with such low temperature ratings would be subject to severe damage and/or failure at average temperatures of 650-815 degrees C (1200-1500 degrees F) during a wildland fire. Thus, the potential of exposing firefighters, industry workers and the public to the risk of injury due to ignited gas is elevated.

Flexible pipe placed along existing roads could flex into travel corridors exposing firefighters to potential gas leaks in the event that vehicles run over the pipeline, degrading the structural viability and/or rupturing the pipeline.

Because of reasons identified above, all proposed flexible surface pipelines, regardless of length of term, will be buried a minimum of 12 inches below the surface to eliminate the potential for ignition of a gas leak during fire suppression operations.

REFERENCES CITED:

Armstrong, Harley J., and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Colorado Parks and Wildlife

2011 Colorado Parks and Wildlife; Natural Diversity Information System. Available online at <http://ndis.nrel.colostate.edu/index.html>.

Conner, Carl E.

2004 Class III Cultural Resources Inventory of the Proposed CRU Surface Water pipeline route (1.8 mile) in Rio Blanco County, Colorado. Grand River Institute, Grand Junction, Colorado. (04-11-10: SHPO # RB.LM.NR1570)

Davenport, Barbara

- 2011 Class III Cultural Resources Inventory for the Proposed Fletcher Gulch Federal #4-24-2 and #4-44-2 Well Locations in Rio Blanco County, Colorado for Laramie Energy II. Grand River Institute, Grand Junction, Colorado. (11-11-30)

McDonald, Kae

- 2006 Genesis Gas and Oil, LLC, Fletcher Gulch Exploratory Wells and Access Roads Class III Cultural Resource Inventory Rio Blanco County, Colorado. Flattops Archaeological Consultants, LLC., Glenwood Springs, Colorado. (06-154-01: SHPO # RB.LM.R970)

Tweto, Ogden

- 1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
2. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
3. If it becomes necessary to excavate into the underlying sedimentary rock formation to construct the reserve/blooi/cuttings pit or bury any well tie pipelines an approved paleontological monitor shall be present on site before any such excavations begin and shall remain until all such excavation operations have been completed.
4. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The operator will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in

treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The operator, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

5. Pursuant to 43 CFR 10.4(g), the operator must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
6. No activities associated with the Proposed Action will be allowed from November 1 through December 30 to prevent disruption of mule deer during the rut and prior to their movement to lower elevations. Any activities, including pad/pipeline construction, drilling, completion activities, and vehicle traffic associated with well and/or pipeline development initiated prior to November 1 must be completed or cease by October 31.
7. The designated Natural Resource Specialist (NRS) will be notified via email or by phone 24 hours prior to beginning all construction-related activities associated with this project that result in disturbance of surface soils. Construction-related activities may include, but are not limited to, pad and road construction, clearing pipeline corridors, trenching, etc. Notification of all construction-related activities, regardless of size, that result in disturbance of surface soils as a result of this project is required.
8. In an attempt to track interim and final reclamation of federal actions related to the development of federal mineral resources, the operator shall provide the designated Natural Resource Specialist with geospatial data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed) features associated with this project and included in the Application for Permit to Drill (APD) or Sundry Notice (SN), as appropriate. These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the operator shall notify the designated Natural Resource Specialist via email or by phone, and provide justification supporting an extension of the required data submission time period. GIS polygon features may include, but are not limited to, constructed access roads, existing roads that were upgraded, pipeline corridors, and well pad footprints. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or, (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-build feature. Geospatial data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only), or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the *Content Standards for Digital Geospatial Metadata* from the Federal Geographic Data Committee standards. Questions shall be directed to WRFO BLM GIS staff at (970) 878-3800.

If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to:

BLM, White River Field Office
Attn: NRS Staff
220 East Market Street
Meeker, Colorado 81641

Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.

If for any reason the location or orientation of the geographic feature associated with the Proposed Action changes, the operator shall submit updated GIS data to designated BLM NRS staff person within 7 calendar days of the change. This information shall be submitted via Sundry Notice.

9. A Reclamation Status Report will be submitted electronically via email and as a hard-copy to the WRFO Reclamation Coordinator. Please submit the hardcopy to:

BLM, White River Field Office
220 East Market Street
Meeker, Colorado 81641
Attn: Brett Smithers

The Reclamation Status Report will be submitted annually for all actions that require disturbance of surface soils on BLM-administered lands as a result of the Proposed Action. Actions may include, but are not limited to, well pad and road construction, construction of ancillary facilities, or power line and pipeline construction. The Reclamation Status Report will be submitted by September 30th of each calendar year, and will include the well number, API number, legal description, UTM coordinates (using the NAD83 datum, Zone 13N coordinate system), project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., Phase I Interim, Phase II Interim, or Final), whether the well pad or pipeline has been re-vegetated and/or re-contoured, percent of the disturbed area that has been reclaimed, method used to estimate percent area reclaimed (e.g., qualitative or quantitative), technique used to estimate percent area reclaimed (e.g., ocular, line-intercept, etc.), date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person(s) responsible for developing the report. The report will be accompanied with maps and GIS data showing each discrete point (i.e., well pad), polygon (i.e., area where seed was applied for Phase I and/or Phase II interim reclamation or area reclaimed for final reclamation), or polyline (i.e., pipeline) feature that was included in the report. Geospatial data shall be submitted: for each completed activity electronically to the designated BLM staff person responsible for the

initial request and in accordance with WRFO geospatial data submittal standards (available from WRFO GIS Staff, or on the WRFO website). Internal and external review of the WRFO Reclamation Status Report, and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report.

The following applicable mitigation from CO-110-2006-200-EA and CO-110-2009-180-EA has been carried forward:

1. Laramie Energy will comply with all local, state, and federal air quality regulations and provide documentation to the BLM that they have acquired all necessary state and federal permits. To minimize fugitive dust created by construction and drilling activities, Laramie Energy may wet disturbed areas with fresh water from a permitted source. Vehicle traffic may also be restricted to speeds that would minimize fugitive dust. Adherence to reclamation requirements for surface disturbance activities (refer to Water Quality and Soils) would be followed to stabilize disturbed soils and blowing dust.
2. Proper seeding and monitoring of the disturbed areas will reduce the potential for invasive, non-native species to establish. Adherence to BLM reclamation measures will minimize impacts from invasive, non-native species. Cleaning of all vehicles and heavy machinery to remove seed and soil prior to construction and drilling activities would also reduce the potential for the introduction of invasive species into the project area. Laramie Energy will be required to monitor the project area for noxious and invasive species for a minimum of three years after disturbance. All noxious and invasive species which occur on site would be eradicated using materials and methods approved in advance by the BLM.
3. Laramie Energy will comply with “Gold Book” fourth edition surface operating standards for all surface disturbing activities (copies of the “Gold Book” fourth edition can be obtained at the WRFO). Laramie Energy will restrict non-emergency maintenance activities on pipeline ROW and associated access roads when soils become saturated to a depth of three inches or more. Laramie Energy will be responsible for complying with all local, state, and federal water quality regulations (such as but not limited to Phase I Storm Water Permit, Army Corps Section 404 permit coverage, and Industrial Wastewater/Produced Water Permits).
4. Laramie Energy will consult with the State of Colorado Water Quality Control Division regarding Stormwater Discharge Permits prior to commencing construction activities. Construction activities that disturb one acre or greater require a Stormwater Discharge Permit. Written documentation to the BLM Authorized Officer is required within 30 days of the APD approval date to indicate that appropriate permits have been obtained. Written documentation may be a copy of the Stormwater Discharge Permit or an official verification letter from the State Water Quality Control Division to Laramie Energy that includes the Permit Certification Number. For further information contact Bob Lange, WRFO Hydrologist at 970-878-3831.
5. Final reclamation of the pipeline ROW will commence as follows:

- Stockpiled topsoil and spoil piles will be separated and clearly identified to prevent mixing during reclamation efforts. Topsoil stockpiles will be seed with a BLM approved seed mixture.
 - Stockpiled topsoil segregated from spoil piles will be replaced during reclamation in its respective original position (last out, first in) to minimize mixing of soil horizons.
 - Stockpiled soils (spoil and topsoil) will be pulled back over all disturbed surfaces affected by drilling or subsequent operations, except areas reasonably needed for production operations. Areas not needed for production operations shall be partially reshaped as early and as nearly as practicable to near pre-construction contours.
 - Laramie Energy will ensure stockpiled topsoil is evenly distributed over the top of spoil used in partial reshaping efforts.
 - The partially reshaped area will be seeded with a BLM approved seed mixture, and all slopes exceeding 5 percent will be covered with wildlife friendly biodegradable fabrics (such as but not limited to Jute blankets, Curlex, etc.) to provide additional protection to topsoil, retain soil moisture, and help promote desired vegetative growth.
 - Following seeding and placement of biodegradable fabrics, woody debris cleared during initial construction will be pulled back over the partially reshaped area to act as flow deflectors and sediment traps. Woody debris will be evenly distributed over the entire portion of the reclaimed area and will not account for more than 20 percent of total ground cover.
 - Laramie Energy will be required to monitor all reclaimed areas for signs of erosion and the presence of noxious and invasive plant species. If problems arise Laramie Energy will consult with the BLM for further assistance.
 - It will be the responsibility of Laramie Energy to continue revegetation/reclamation efforts until vegetative communities on all disturbed surfaces are composed of desirable seeded vegetation (as determined by the BLM). Laramie Energy will be responsible for achieving a reclamation success rate of sufficient vegetation ground cover from reclaimed plant species within three growing seasons after the application of seed. The ground cover of reclaimed seed species shall be comparable to that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM. Rehabilitation efforts must be repeated if it is concluded that the success rate is below an expectable level as determined by the BLM.
6. The White River ROD/RMP (USDI BLM 1997) includes Conditions of Approval (COAs) for all surface disturbing activities, road construction and maintenance, and oil and gas exploration. Laramie Energy will be required to implement these COAs on-site as conditions warrant. COAs for surface disturbing activities and road construction and maintenance that are pertinent to minimizing the Proposed Action's impacts to surface and groundwater quality include:
- Topsoil should be stripped from the surface and stockpiled for reclamation. When topsoil is stockpiled on slopes exceeding 5 percent, construct a berm or trench below the stockpile.
 - Sedimentation shall be diverted and/or run through catchment basins to protect surface waters.

- All sediment control structures or disposal pits will be designed to contain a 100-year, 6-hour storm event. Storage volumes within these structures will have a design life of 25 years.
 - All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the AO.
 - There shall be no mud blading of roads.
 - Provide vegetative or artificial stabilization of cut and fill slopes. Avoid establishment of vegetation where it inhibits drainage from the road surface.
 - Provide for erosion-resistant surface drainage prior to fall rain or snow.
 - Maintenance should be performed to conserve existing surface material, retain the original crowned or outsloped self-draining cross section, prevent or remove rutting berms (except those designed for slope protection) and other irregularities that retard normal surface runoff.
7. Seed mixes that should be used for reclamation are provided in Table 1 and are based on the ecological site defined by the soil mapping units within the project area (USDI BLM 1994). Laramie Energy would be required to monitor the project area for a minimum of 3 years after construction to detect the presence of noxious/invasive species. If found, noxious weeds would be eradicated using materials and methods approved in advance by the AO. Stripped topsoil and vegetation would be stockpiled for subsequent reclamation of unused areas of the well pads.

Table 1. Native seed mixes appropriate for reclamation efforts for the proposed project area.

Seed Mix	Species	Lbs/Acre	Range Site Occurring in the Project Area
2	Western wheatgrass (Arriba)	3	Clayey foothills, clayey slopes
	Streambank wheatgrass (Sodar)	2	
	Thickspike wheatgrass (Critana)	2	
	Fourwing saltbush (Wytana, Ricon)	2	
4	Western wheatgrass (Rosanna)	2	Piñon-juniper woodlands, stony foothills
	Bluebunch wheatgrass (Secar)	2	
	Thickspike wheatgrass (Critana)	2	
	Indian ricegrass (Nezpar)	1	
	Fourwing saltbush (Wytana)	1	
	Utah sweetvetch	1	
7	Bluebunch wheatgrass (Secar)	2	Deep clay loam
	Slender wheatgrass (Primar)	2	
	Big bluegrass (Sherman)	1	
	Canby bluegrass (Canbar)	1	
	Mountain brome (Bromar)	2	

8. Any spills or releases of hazardous substances would be cleaned up and disposed of in accordance with applicable requirements and spill response plans.
9. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts

in excess of three inches deep, the soil shall be deemed too wet to adequately support construction equipment.

10. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, Laramie Energy shall obtain from the AO written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency use of pesticides shall be approved in writing by the AO prior to such use.
11. Laramie Energy shall protect all survey monuments found within the ROW. Survey monuments include, but are not limited to, General Land Office (GLO) and BLM Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, Laramie Energy shall immediately report the incident, in writing, to the AO and the respective installing authority if known. Where GLO or BLM ROW monuments or references are obliterated during operations, Laramie Energy shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. Laramie Energy shall record such survey in the appropriate county and send a copy to the AO. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, Laramie Energy shall be responsible for the survey cost.
12. Laramie Energy shall uniformly spread topsoil over all unoccupied disturbed area (outside the ditch line, fence line, and work area). Spreading shall not be done when the ground or topsoil is frozen or wet.
13. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
14. If snow removal from road is undertaken, equipment used for snow removal operations shall be equipped with shoes to keep the blade three inches off the road surface. Holder shall take special precautions where the surface of the ground is uneven and at drainage crossings to ensure that equipment blades do not destroy vegetation.
15. Under no circumstances, will mud-blading be allowed at any time.

MONITORING AND COMPLIANCE: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Brett Smithers

COMPLIANCE WITH NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act.

SIGNATURE OF AUTHORIZED OFFICIAL:

Thant T. Walte

Field Manager

DATE SIGNED:

02/02/2012

ATTACHMENTS:

Figure 1. Proposed buried gathering pipeline route.

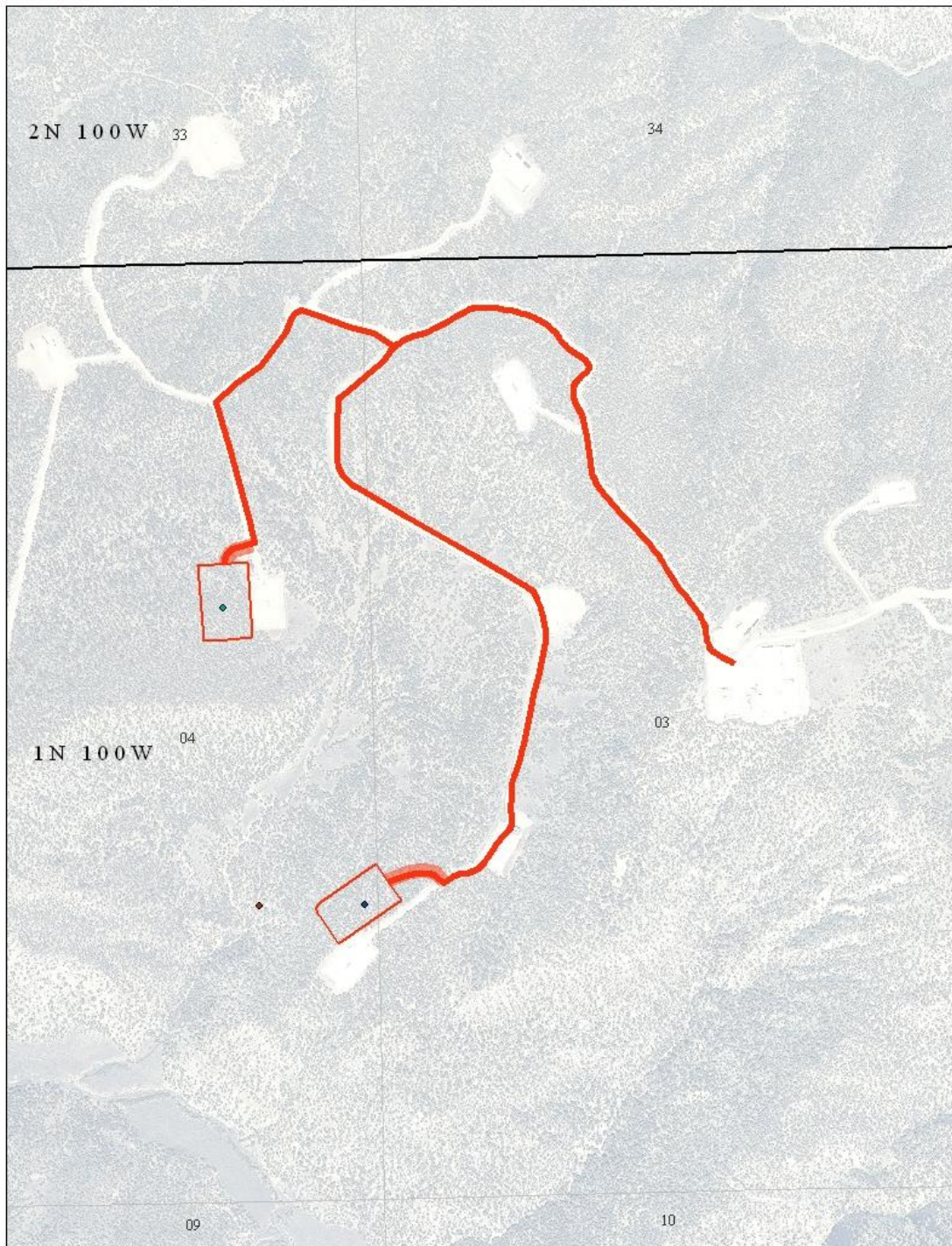


Figure 1. The figure above illustrates the proposed buried gathering pipeline route.

**U.S. Department of the Interior
Bureau of Land Management
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220 E Market St
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DECISION RECORD

PROJECT NAME: Laramie Energy's Proposed Fletcher Gulch Gathering Pipeline

CATEGORICAL EXCLUSION NUMBER: DOI-BLM-CO-2012-0027-CX(390)

DECISION:

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-2012-0027-CX(390) authorizing construction, operation, installation, and maintenance activities for the proposed buried pipeline.

Mitigation Measures:

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
2. If any paleontological resources are discovered as a result of operations under this authorization, the operator or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
3. If it becomes necessary to excavate into the underlying sedimentary rock formation to construct the reserve/blooi/cuttings pit or bury any well tie pipelines an approved paleontological monitor shall be present on site before any such excavations begin and shall remain until all such excavation operations have been completed.
4. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The operator will make every effort to protect the site from further

impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The operator, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

5. Pursuant to 43 CFR 10.4(g), the operator must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
6. No activities associated with the Proposed Action will be allowed from November 1 through December 30 to prevent disruption of mule deer during the rut and prior to their movement to lower elevations. Any activities, including pad/pipeline construction, drilling, completion activities, and vehicle traffic associated with well and/or pipeline development initiated prior to November 1 must be completed or cease by October 31.
7. The designated Natural Resource Specialist (NRS) will be notified via email or by phone 24 hours prior to beginning all construction-related activities associated with this project that result in disturbance of surface soils. Construction-related activities may include, but are not limited to, pad and road construction, clearing pipeline corridors, trenching, etc. Notification of all construction-related activities, regardless of size, that result in disturbance of surface soils as a result of this project is required.
8. In an attempt to track interim and final reclamation of federal actions related to the development of federal mineral resources, the operator shall provide the designated Natural Resource Specialist with geospatial data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS). These data will be used to accurately locate and identify all geographic as-built (i.e., constructed) features associated with this project and included in the Application for Permit to Drill (APD) or Sundry Notice (SN), as appropriate. These data shall be submitted within 60 days of construction completion. If the operator is unable to submit the required information within the specified time period, the operator shall notify the designated Natural Resource Specialist via email or by phone, and provide justification supporting an extension of the required data submission time period. GIS polygon features may include, but are not limited to, constructed access roads, existing roads that were upgraded, pipeline corridors, and well pad footprints. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or, (3) AutoCAD .dwg or .dxf files. If possible, both (2) and (3) should be submitted for each as-build feature. Geospatial data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only), or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the *Content Standards for Digital Geospatial Metadata* from the Federal

Geographic Data Committee standards. Questions shall be directed to WRFO BLM GIS staff at (970) 878-3800.

If the operator is unable to send the data electronically, the operator shall submit the data on compact disk(s) to:

BLM, White River Field Office
Attn: NRS Staff
220 East Market Street
Meeker, Colorado 81641

Internal and external review of the reporting process and the adequacy of the associated information to meet established goals will be conducted on an on-going basis. New information or changes in the reporting process will be incorporated into the request, as appropriate. Subsequent permit application processing may be dependent upon successful execution of this request, as stated above.

If for any reason the location or orientation of the geographic feature associated with the Proposed Action changes, the operator shall submit updated GIS data to designated BLM NRS staff person within 7 calendar days of the change. This information shall be submitted via Sundry Notice.

9. A Reclamation Status Report will be submitted electronically via email and as a hard-copy to WRFO Reclamation Coordinator. Please submit the hardcopy to:

BLM, White River Field Office
220 East Market Street
Meeker, Colorado 81641
Attn: Brett Smithers

The Reclamation Status Report will be submitted annually for all actions that require disturbance of surface soils on BLM-administered lands as a result of the Proposed Action. Actions may include, but are not limited to, well pad and road construction, construction of ancillary facilities, or power line and pipeline construction. The Reclamation Status Report will be submitted by September 30th of each calendar year, and will include the well number, API number, legal description, UTM coordinates (using the NAD83 datum, Zone 13N coordinate system), project description (e.g., well pad, pipeline, etc.), reclamation status (e.g., Phase I Interim, Phase II Interim, or Final), whether the well pad or pipeline has been re-vegetated and/or re-contoured, percent of the disturbed area that has been reclaimed, method used to estimate percent area reclaimed (e.g., qualitative or quantitative), technique used to estimate percent area reclaimed (e.g., ocular, line-intercept, etc.), date seeded, photos of the reclaimed site, estimate of acres seeded, seeding method (e.g., broadcast, drilled, hydro-seeded, etc.), and contact information for the person(s) responsible for developing the report. The report will be accompanied with maps and GIS data showing each discrete point (i.e., well pad), polygon (i.e., area where seed was applied for Phase I and/or Phase II interim reclamation or area reclaimed for final reclamation), or polyline (i.e., pipeline)

feature that was included in the report. Geospatial data shall be submitted: for each completed activity electronically to the designated BLM staff person responsible for the initial request and in accordance with WRFO geospatial data submittal standards (available from WRFO GIS Staff, or on the WRFO website). Internal and external review of the WRFO Reclamation Status Report, and the process used to acquire the necessary information will be conducted annually, and new information or changes in the reporting process will be incorporated into the report.

The following applicable mitigation from CO-110-2006-200-EA and CO-110-2009-180-EA has been carried forward:

1. Laramie Energy will comply with all local, state, and federal air quality regulations and provide documentation to the BLM that they have acquired all necessary state and federal permits. To minimize fugitive dust created by construction and drilling activities, Laramie Energy may wet disturbed areas with fresh water from a permitted source. Vehicle traffic may also be restricted to speeds that would minimize fugitive dust. Adherence to reclamation requirements for surface disturbance activities (refer to Water Quality and Soils) would be followed to stabilize disturbed soils and blowing dust.
2. Proper seeding and monitoring of the disturbed areas will reduce the potential for invasive, non-native species to establish. Adherence to BLM reclamation measures will minimize impacts from invasive, non-native species. Cleaning of all vehicles and heavy machinery to remove seed and soil prior to construction and drilling activities would also reduce the potential for the introduction of invasive species into the project area. Laramie Energy will be required to monitor the project area for noxious and invasive species for a minimum of three years after disturbance. All noxious and invasive species which occur on site would be eradicated using materials and methods approved in advance by the BLM.
3. Laramie Energy will comply with “Gold Book” fourth edition surface operating standards for all surface disturbing activities (copies of the “Gold Book” fourth edition can be obtained at the WRFO). Laramie Energy will restrict non-emergency maintenance activities on pipeline ROW and associated access roads when soils become saturated to a depth of three inches or more. Laramie Energy will be responsible for complying with all local, state, and federal water quality regulations (such as but not limited to Phase I Storm Water Permit, Army Corps Section 404 permit coverage, and Industrial Wastewater/Produced Water Permits).
4. Laramie Energy will consult with the State of Colorado Water Quality Control Division regarding Stormwater Discharge Permits prior to commencing construction activities. Construction activities that disturb one acre or greater require a Stormwater Discharge Permit. Written documentation to the BLM Authorized Officer is required within 30 days of the APD approval date to indicate that appropriate permits have been obtained. Written documentation may be a copy of the Stormwater Discharge Permit or an official verification letter from the State Water Quality Control Division to Laramie Energy that includes the Permit Certification Number. For further information contact Bob Lange, WRFO Hydrologist at 970-878-3831.
5. Final reclamation of the pipeline ROW will commence as follows:

- Stockpiled topsoil and spoil piles will be separated and clearly identified to prevent mixing during reclamation efforts. Topsoil stockpiles will be seed with a BLM approved seed mixture.
 - Stockpiled topsoil segregated from spoil piles will be replaced during reclamation in its respective original position (last out, first in) to minimize mixing of soil horizons.
 - Stockpiled soils (spoil and topsoil) will be pulled back over all disturbed surfaces affected by drilling or subsequent operations, except areas reasonably needed for production operations. Areas not needed for production operations shall be partially reshaped as early and as nearly as practicable to near pre-construction contours.
 - Laramie Energy will ensure stockpiled topsoil is evenly distributed over the top of spoil used in partial reshaping efforts.
 - The partially reshaped area will be seeded with a BLM approved seed mixture, and all slopes exceeding 5 percent will be covered with wildlife friendly biodegradable fabrics (such as but not limited to Jute blankets, Curlex, etc.) to provide additional protection to topsoil, retain soil moisture, and help promote desired vegetative growth.
 - Following seeding and placement of biodegradable fabrics, woody debris cleared during initial construction will be pulled back over the partially reshaped area to act as flow deflectors and sediment traps. Woody debris will be evenly distributed over the entire portion of the reclaimed area and will not account for more than 20 percent of total ground cover.
 - Laramie Energy will be required to monitor all reclaimed areas for signs of erosion and the presence of noxious and invasive plant species. If problems arise Laramie Energy will consult with the BLM for further assistance.
 - It will be the responsibility of Laramie Energy to continue revegetation/reclamation efforts until vegetative communities on all disturbed surfaces are composed of desirable seeded vegetation (as determined by the BLM). Laramie Energy will be responsible for achieving a reclamation success rate of sufficient vegetation ground cover from reclaimed plant species within three growing seasons after the application of seed. The ground cover of reclaimed seed species shall be comparable to that of the nearby undisturbed plant communities at a Potential Natural Community (PNC) state in relation to the seed mix as deemed appropriate by the BLM. Rehabilitation efforts must be repeated if it is concluded that the success rate is below an expectable level as determined by the BLM.
6. The White River ROD/RMP (USDI BLM 1997) includes Conditions of Approval (COAs) for all surface disturbing activities, road construction and maintenance, and oil and gas exploration. Laramie Energy will be required to implement these COAs on-site as conditions warrant. COAs for surface disturbing activities and road construction and maintenance that are pertinent to minimizing the Proposed Action's impacts to surface and groundwater quality include:
- Topsoil should be stripped from the surface and stockpiled for reclamation. When topsoil is stockpiled on slopes exceeding 5 percent, construct a berm or trench below the stockpile.
 - Sedimentation shall be diverted and/or run through catchment basins to protect surface waters.

- All sediment control structures or disposal pits will be designed to contain a 100-year, 6-hour storm event. Storage volumes within these structures will have a design life of 25 years.
 - All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the AO.
 - There shall be no mud blading of roads.
 - Provide vegetative or artificial stabilization of cut and fill slopes. Avoid establishment of vegetation where it inhibits drainage from the road surface.
 - Provide for erosion-resistant surface drainage prior to fall rain or snow.
 - Maintenance should be performed to conserve existing surface material, retain the original crowned or outsloped self-draining cross section, prevent or remove rutting berms (except those designed for slope protection) and other irregularities that retard normal surface runoff.
7. Seed mixes that should be used for reclamation are provided in Table 1 and are based on the ecological site defined by the soil mapping units within the project area (USDI BLM 1994). Laramie Energy would be required to monitor the project area for a minimum of 3 years after construction to detect the presence of noxious/invasive species. If found, noxious weeds would be eradicated using materials and methods approved in advance by the AO. Stripped topsoil and vegetation would be stockpiled for subsequent reclamation of unused areas of the well pads.

Table 1. Native seed mixes appropriate for reclamation efforts for the proposed project area.

Seed Mix	Species	Lbs/Acre	Range Site Occurring in the Project Area
2	Western wheatgrass (Arriba)	3	Clayey foothills, clayey slopes
	Streambank wheatgrass (Sodar)	2	
	Thickspike wheatgrass (Critana)	2	
	Fourwing saltbush (Wytana, Ricon)	2	
4	Western wheatgrass (Rosanna)	2	Piñon-juniper woodlands, stony foothills
	Bluebunch wheatgrass (Secar)	2	
	Thickspike wheatgrass (Critana)	2	
	Indian ricegrass (Nezpar)	1	
	Fourwing saltbush (Wytana)	1	
	Utah sweetvetch	1	
7	Bluebunch wheatgrass (Secar)	2	Deep clay loam
	Slender wheatgrass (Primar)	2	
	Big bluegrass (Sherman)	1	
	Canby bluegrass (Canbar)	1	
	Mountain brome (Bromar)	2	

8. Any spills or releases of hazardous substances would be cleaned up and disposed of in accordance with applicable requirements and spill response plans.
9. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts

in excess of three inches deep, the soil shall be deemed too wet to adequately support construction equipment.

10. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, Laramie Energy shall obtain from the AO written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the AO. Emergency use of pesticides shall be approved in writing by the AO prior to such use.
11. Laramie Energy shall protect all survey monuments found within the ROW. Survey monuments include, but are not limited to, General Land Office (GLO) and BLM Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, Laramie Energy shall immediately report the incident, in writing, to the AO and the respective installing authority if known. Where GLO or BLM ROW monuments or references are obliterated during operations, Laramie Energy shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. Laramie Energy shall record such survey in the appropriate county and send a copy to the AO. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, Laramie Energy shall be responsible for the survey cost.
12. Laramie Energy shall uniformly spread topsoil over all unoccupied disturbed area (outside the ditch line, fence line, and work area). Spreading shall not be done when the ground or topsoil is frozen or wet.
13. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
14. If snow removal from road is undertaken, equipment used for snow removal operations shall be equipped with shoes to keep the blade three inches off the road surface. Holder shall take special precautions where the surface of the ground is uneven and at drainage crossings to ensure that equipment blades do not destroy vegetation.
15. Under no circumstances, will mud-blading be allowed at any time.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 3/08/2011. External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register.

RATIONALE

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Section 390 of the Energy Policy Act. Additional support for categorically excluding this action from further documentation under NEPA was based on the fact that, in addition to meeting the individual action disturbance criteria (i.e., each individual action, if approved and implemented, will result in less than 5 acres of surface disturbance), the anticipated impacts associated with this action were adequately mitigated in CO-110-2006-200-EA and CO-110-2009-180-EA.

ADMINISTRATIVE REMEDIES

State Director Review

Under regulations addressed in 43 CFR 3165.3(b), any adversely affected party that contests a decision of the Authorized Officer may request an administrative review, before the State Director, either with or without oral presentation. Such request, including all supporting documentation, shall be filed in writing with the BLM Colorado State Office at 2850 Youngfield Street, Lakewood, Colorado 80215 within 20 business days of the date such decision was received or considered to have been received. Upon request and showing of good cause, an extension may be granted by the State Director. Such review shall include all factors or circumstances relevant to the particular case.

Appeal

Any party who is adversely affected by the decision of the State Director after State Director review, under 43 CFR 3165.3(b), of a decision may appeal that decision to the Interior Board of Land Appeals pursuant to the regulations set out in 43 CRF Part 4.

SIGNATURE OF AUTHORIZED OFFICIAL:


Field Manager

DATE SIGNED: 02/02/12